

Decision No. 49138

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
M. D. PETERS and W. F. PETERS, co- )  
partners doing business as PETERS )  
TRUCK LINES and W. L. WARNER, an )  
individual, doing business as )  
SACRAMENTO AUTO TRUCK CO. for auth- )  
ority to establish joint rates. )

Application No. 34722

OPINION AND ORDER

Applicants are highway common carriers of general commodities. Peters Truck Lines operates between Sacramento and points north of Castella (Shasta County), including Yreka, Callahan and Newell.<sup>1</sup> Sacramento Auto Truck Co. operates between Sacramento and Winters, Woodland and Davis. They seek authority to establish through service, through routes and joint rates between points on their lines. They also seek authority to depart from the long and short haul provisions of the Constitution and of the Public Utilities Code to the extent necessary to establish the joint rates. In addition they propose that the order granting the sought authority be made effective ten days after its issuance and that they be permitted to make the sought rates effective on five days' notice.

The proposed rates are on the same level as the minimum rates named in Highway Carriers' Tariff No. 2. Service over applicants' lines between the points involved is now subject to combinations of their local rates. These combination rates are higher than those proposed. Applicants represent that it will be advantageous to the public to be able to make through shipments over applicants' lines under the proposed joint rates. They point out

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<sup>1</sup> Applicant also operates between San Francisco and East Bay points and points north of Castella. Service between these points is not involved herein.

that the departures from the long and short haul provisions involved are occasioned only by some of applicants' operating routes being longer than the direct routes, but that this circuitry is not great in relation to the through distances. In regard to the time within which they seek to have the authority granted, applicants merely state that the short time sought would accelerate the time when more favorable highway common carrier rates would be available to shippers.

Competing carriers have been notified of the filing of the application. No objections have been received.

It appears that the establishment of through service, through routes and joint rates on five days' notice, as proposed, is not adverse to the public interest and should be authorized. However, applicants' request that the order herein be made effective ten days after its issuance has not been shown to be justified and will not be granted. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that applicants be and they are hereby authorized to establish on not less than five days' notice to the Commission and the public the through service, through routes and joint rates proposed in the above-entitled application and to depart from the provisions of Article XII, Section 21 of the Constitution of the State of California and Section 460 of the Public Utilities Code to the extent necessary to establish the rates authorized herein.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire unless the rates authorized herein are made effective within sixty days after the effective date of this order.

IT IS HEREBY FURTHER ORDERED that in all other respects Application No. 34722, as amended, be and it is hereby denied.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 6<sup>th</sup> day of October, 1953.

R. J. [Signature]  
President  
Justice F. [Signature]  
[Signature]  
[Signature]  
Commissioners